

relationship between broadcast exposure and gate receipts, but contends that gate receipts are more affected by the win/loss record of the team.<sup>126</sup> NCAA further submits that the Commission's assumption that sports entities seek to maximize their overall net revenues is more directly applicable to professional sports, and asserts that the primary concern of college athletics is often with the publicity that results from media carriage of events.<sup>127</sup> BYU estimates that approximately 17 percent of its athletic department revenue is generated by the sale of broadcast rights, and ECU submits that television coverage of its games has not reduced gate receipts.<sup>128</sup> The University of Pittsburgh anticipates that for the 1993-94 season, approximately 27 percent of its Athletic Department revenue will come from the sale of broadcast or other media distribution rights. It also states that football gate receipts will account for approximately 25 percent of the department's income, while basketball gate receipts will be about 10 percent of the total.<sup>129</sup>

## 2. College football

56. The promotion and regulation of college football is primarily governed by the NCAA. NCAA institutions sponsor approximately 600 football teams, classified as Division I-A, I-AA, II or III. NCAA submits that there are 107 Division I-A institutions, 88 Division I-AA institutions, 129 Division II institutions and 229 Division III institutions. The NCAA football schedule typically includes 11 games held on Saturdays from early

The College Football Association is one such consortium. CFA, which acts as a program packager for 67 universities, consists of seven constituent groups involving six conferences and other schools that do not belong to a conference.<sup>132</sup> Each constituent group appoints a representative to serve on the CFA Television Committee, which drafts a voluntary Television Plan. The current CFA Television Plan provides that ABC and ESPN have a right of first refusal for games played by CFA members. The CFA contracts with ABC and ESPN cover the 1991 through 1995 seasons. CFA will receive \$300 million -- \$175 million from ABC and \$125 million from ESPN. CFA estimates that in 1993, ABC will televise 35 games and ESPN will televise 27 games. ABC is permitted to televise a minimum of 25 and a maximum of 35 games each season, and ESPN has

60. Another matter potentially related to the migration of college football from broadcast to cable television is the recent ABC pay-per-view experiment with Showtime Event Television. CapCities/ABC notes that for the 1992 season, it made regional college football games available on a pay-per-view basis in areas where such games would not otherwise be seen on broadcast television. CapCities/ABC argues that it endeavored to select the game for over-the-air broadcast that would have the greatest local appeal, and asserts that the intent of the pay-per-view plan was to broaden viewers' programming choices.<sup>136</sup> Viacom, the parent company of Showtime Event Television, submits that the arrangement will provide ABC a new revenue stream with which to produce additional packages of games. Viacom contends that participating schools also benefit from a new revenue stream, as well as from the opportunity to nurture relationships with geographically dispersed alumni.<sup>137</sup>

61. Apart from the above two issues, it appears that there is limited concern that college football has migrated from broadcast to cable. Indeed, NCTA asserts that while national and regional cable networks cover a variety of college football events, the broadcast networks still dominate the major collegiate conferences, receive the first choice of nationally televised games and retain the rights to the major Bowl games. NCTA also argues that college football telecasts have increased in recent years. It submits that as individual schools began to negotiate their own rights contracts in 1984, sports syndicators and local broadcasters were flooded with available games.<sup>138</sup> Subsequently, NCTA asserts, because the large number of games on television was apparently reducing ticket sales and television ratings, the number of televised games in syndication declined from about 190 in 1984 to 100 in 1986 and 1987. Recently, however, NCTA submits, national broadcast coverage of college football has increased from 27 games in 1987 to 67 games in 1992, and national and regional cable coverage has increased from 54 games in 1987 to 192 in 1992.<sup>139</sup>

62. Commenters also contend that cable coverage of college football games supplements broadcast coverage. For example, Big East states that it has sought cable carriage in areas where it has difficulty securing broadcast coverage, and that it gives priority to broadcast coverage of its "Game of the Week."<sup>140</sup> Viacom submits that its affiliate, Prime Sports, telecasts live Pac-10 games that are not part of the Pac-10 broadcast agreement and tape-delayed replays of other games. Prime Sports also offers a four-game

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<sup>136</sup> CapCities/ABC Comments at 3-4.

<sup>137</sup> Viacom Comments at 3-4.

<sup>138</sup> In NCAA v. Board of Regents of the University of Oklahoma, 468 U.S. 85 (1984), the United States Supreme Court invalidated the NCAA's football telecasting agreements on antitrust grounds.

<sup>139</sup> NCTA Comments at 20-22.

<sup>140</sup> Big East Comments at 5-6.

package of football games from the Big Sky Conference, which Viacom believes were not previously available on broadcast television.<sup>141</sup> Southwest Conference notes that the television rights for games that are not covered by the CFA agreement are syndicated to broadcast stations and submits that those

television. For example, Big East asserts that more of its games are currently carried on broadcast television than were carried five years ago. It submits that Big East men's basketball games are televised pursuant to a three-tiered distribution plan -- (1) national and regional network telecasts on CBS; (2) some regular season games on ESPN; and (3) some regular season and post-season games available for distribution through the Big East Television Network, first to broadcast television and then to regional cable. 145 NRTA submits that the three broadcast networks maintain the first

school sports events.<sup>150</sup> In addition, commenters submit that cable networks present sporting news and commentary and other informational programs involving specific sports, fitness and outdoor activities.<sup>151</sup> Further, NCTA notes that ESPN has covered special events such as the NFL draft, Baseball Hall of Fame inductions and spring training.<sup>152</sup>

68. In addition, a number of commenters specifically mention the decline of professional boxing on broadcast television. CapCities/ABC agrees that boxing has essentially moved from broadcast to cable and other subscription services, but argues that boxing has a more specialized audience than the other sports listed in the Notice and that it does not have as extensive a history on broadcast television.<sup>153</sup> NCTA asserts that boxing was abandoned by broadcasters before the inception of cable networks, and argues that cable has brought regular coverage of boxing back to prime time.<sup>154</sup> Similarly, Time Warner submits that while CBS and NBC will not air any fights in 1993 and ABC is scheduled to air five, HBO, ESPN, Showtime and USA will collectively telecast more than 70 fights.<sup>155</sup> Similarly, Viacom asserts that boxing is televised nationally on Showtime, HBO, USA and ESPN and locally on regional cable networks such as MSG Network, Sportschannel America, Sportschannel and Prime Ticket. Viacom submits that "big event" fights, which its Showtime Event Television offers on a pay-per-view basis, were previously shown on closed circuit television for a fee in a theater or arena.<sup>156</sup>

#### IV. PRECLUSIVE CONTRACTS

69. The 1992 Cable Act directs the Commission to "analyze the extent to which preclusive contracts between college athletic conferences and video programming vendors have artificially and unfairly restricted the supply of the sporting events of local colleges for broadcast on local television stations."<sup>157</sup> The Act defines a "preclusive contract" as a contract that

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<sup>150</sup> See ARC Comments at 12-16; AOC Comments at 3-4; Big East Comments at

prohibits a local television station from presenting either a live local college event that is not carried live by any local cable system, or a tape-delayed local college event that is not carried, live or tape-delayed, by a local cable system.<sup>158</sup> We pointed out in the Notice that some contracts between collegiate athletic conferences and video programming vendors may effectively preclude local television stations from obtaining rights to broadcast local college football or basketball games not being telecast by the cable sports channel. The Notice requested information regarding contracts between college conferences and video programming vendors, including, if appropriate, the broadcast networks and individual broadcast stations. We also asked whether there is a significant connection between preclusive contracts and migration of games to cable, and sought comment on the economic and social consequences of preclusive contracts.<sup>159</sup>

70. Commenters' arguments regarding preclusive contracts focus on college football. INTV and Pappas Broadcasting contend that the video distribution contracts between the college football conferences, including the CFA member conferences, and ABC, ESPN and regional cable sports networks, effectively preclude local broadcasters from carrying college football games of interest to their viewers. NAB and East Carolina University also suggest that preclusive contracts have prevented the broadcast of certain college football games.<sup>160</sup>

71. The precise interplay between the various contracts is difficult to discern from the comments. In general, INTV submits that the major college football conferences, including the Big 10, Pac 10 and CFA, have entered into contracts with ABC and ESPN (which is owned by ABC) that reserve the most desirable time slots for ABC and ESPN telecasts and that prohibit conference members from televising games opposite ABC and ESPN telecasts. INTV contends that the net effect of these contracts is to prevent individual stations or groups of stations from contracting separately with individual schools to televise games of local or regional interest during the most popular Saturday afternoon viewing periods. Further, INTV argues, regional cable sports channels have made similar telecasting arrangements with various college athletic conferences. INTV notes that there are essentially two three-and-one-half hour windows for broadcasting games live on Saturday afternoons. It asserts that stations that are prevented from broadcasting games during those time periods by virtue of conference telecasting arrangements must convince the school to play the game during another time period, must show the game on a tape-delayed basis or must attempt to sublicense games from regional sports channels.<sup>161</sup>

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<sup>158</sup> Id., Section 26(c) (2).

<sup>159</sup> Notice at 1497.

<sup>160</sup> See, INTV Comments at 6-17; INTV Reply at 9-24; Pappas Reply at 4-8; NAB Comments at 2-3; ECU Reply at 1.

<sup>161</sup> INTV Comments at 7-9, 10 n.4.

72. Parties involved in exclusive contracts argue that they are not "preclusive" as defined by Section 26(c) (2), and that such contracts benefit all parties involved and the public. CapCities/ABC, CFA and ESPN submit that their football telecasting contracts are not preclusive because they permit broadcast stations serving the markets of the competing teams to televise games at any time, including during the exclusivity windows.<sup>162</sup> INTV contends, however, that this home market exception is of no value in that ABC and ESPN may select which games to telecast as late as 12 days prior to the game. INTV argues that 12 days' notice is not sufficient for a local station to produce and market a game.<sup>163</sup> Parties supporting exclusivity also contend that sports exclusivity provisions are common, that they enable program producers to provide a unique product to advertisers and the public and that they promote program quality and diversity.<sup>164</sup> In this regard, CapCities/ABC argues that by increasing the value of its telecasts to advertisers, exclusivity provisions enhance its ability to compete against cable in bidding for rights to other sports events.<sup>165</sup>

73. Further, CapCities/ABC contends that the term "video programming vendors" as used in the 1992 Cable Act refers to cable programming networks and not to broadcast networks. It submits that because all games televised pursuant to its contract with the CFA are shown on broadcast television, its contract cannot be said to constitute migration.<sup>166</sup> On the other hand, ARC asserts that the definition of video programming vendors should not be limited to cable networks. ARC contends that to the extent that broadcasters sell advertising and may negotiate for retransmission consent payments, they may be classified as video programming vendors for purposes of the statute. ARC argues that even if network broadcasters were outside the definition of video programming vendors, their contract practices are relevant to determining the reasonableness and competitive effects of cable networks' contract practices.<sup>167</sup>

74. In order to properly carry out the directives of the statute, we believe it necessary to examine the contract practices of broadcasters as well as cable programmers. While CapCities/ABC is correct that the legislative history refers to "contracts between cable sports channels and

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<sup>162</sup> CapCities/ABC Comments at 11; CapCities/ABC Reply at 1-2; CFA Reply at 1; ESPN Comments at 11.

<sup>163</sup> INTV Reply at 14 n.20.

<sup>164</sup> See CapCities/ABC Comments at 11-12; ESPN Comments at 10-11; University of Pittsburgh Reply at 2.

<sup>165</sup> CapCities/ABC Comments at 12.

<sup>166</sup> CapCities/ABC Comments at 7-9; CapCities/ABC Reply at 1-2.

<sup>167</sup> ARC Comments at 11.



college athletic conferences,"<sup>168</sup> the statute refers to "video programming vendors" without further categorization. We conclude that the term "video programming vendor" refers to any provider of video programming, not just cable entities, and therefore includes a broadcast network such as ABC.<sup>169</sup> We further note that the record of this proceeding indicates that the contracts with which broadcasters primarily take issue are those between ABC and the various college football conferences, particularly CFA. Broadcasters are also concerned about contracts between college football conferences and ESPN, which is owned by CapCities/ABC. Because broadcasters argue that these contracts have "artificially and unfairly restricted the supply of the sporting events of local colleges for broadcast on local television stations,"<sup>170</sup> such contracts are directly relevant to our Congressionally mandated analysis of preclusive contracts and will be carefully evaluated.

75. At this point, we do not have sufficient information to make specific recommendations to Congress regarding the existence, prevalence and legality of preclusive contracts. We do believe, however, that the issue warrants further investigation, and we intend to include it in our forthcoming Further Notice of Inquiry. It would be helpful for commenters to diagram how the various contracts operate. For example, the exact times of the CFA/ABC and CFA/ESPN exclusive windows are not apparent, although it is clear that they apply during the afternoon and early evening hours on Saturdays. The specific teams and conferences involved in exclusive contracts are likewise not apparent, nor is it clear how often teams from different conferences play each other and how the various exclusive contracts operate when teams from different conferences play each other.

76. In addition, it would be helpful for broadcasters to discuss their difficulty in acquiring rights to home games of local college teams separately from their experiences in acquiring rights to other games.<sup>171</sup> It appears that broadcasters are primarily concerned with the ability of ABC and ESPN to decide which games to telecast on 12 days' notice, which they argue effectively precludes them from broadcasting games of local teams. In informal discussion with Commission staff, proponents of the 12-day notice have argued that the arrangement provides ABC and ESPN with maximum flexibility to select the games and teams of most immediate interest, and

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<sup>168</sup> See Committee on Energy and Commerce, U.S. House of Representatives, H.R. Rep. No. 102-628, 102d Cong., 2d Sess., at 125-26 (House Report).

<sup>169</sup> We note that for purposes of Section 616 of the 1992 Cable Act, the term "video programming vendor" is defined as "a person engaged in the production, creation, or wholesale distribution of video programming for sale." 47 U.S.C. Section 536(b).

<sup>170</sup> 1992 Cable Act, Section 26(c) (1).

<sup>171</sup> We note that there is dispute over what games should be considered "local." While the ABC and ESPN contracts define a local game as a home game involving a team whose school is based in the ADI of the broadcast station in question, INTV advocates a broader definition. See INTV Comments at 15-16.

that such scheduling flexibility benefits fans and schools by maximizing exposure to important games. They contend that in most cases, the games that will be chosen by ABC and ESPN are readily predictable long before the game is formally selected. In some cases, however, they submit that it may not become apparent until late in the season that a particular game may determine a conference champion or may affect national ranking. Broadcasters will be asked to address this argument in subsequent rounds of this proceeding. They will also be asked to make specific recommendations regarding how much advance notice is optimal to enable a broadcaster to coordinate and promote its telecast of a particular game.

77. Finally, in order to meet the statutory directive "to determine whether and to what extent such preclusive contracts are prohibited by existing statutes," we will seek further information to enable us to apply the "rule of reason" test applied by the U.S. Department of Justice to ascertain compliance with the antitrust laws.<sup>172</sup> In particular, we will seek information concerning the appropriate definition of the relevant product and geographic markets, the degree of market power possessed by the college leagues, the degree of market power possessed by the programmers, and whether preclusive contracts permit the achievement of efficiencies that could not readily be achieved in another manner. Such information will enable us to determine whether preclusive contracts limit or increase the quantity of sports programming telecast.<sup>173</sup>

#### V. THE FUTURE OF SPORTS PROGRAMMING

78. As we pointed out in the Notice, the legislative history of the 1992 Cable Act suggests that we should, to the extent possible, "project future sports carriage trends."<sup>174</sup> We therefore sought comment on factors affecting the future of sports programming, including new technologies, retransmission consent and the antitrust exemption.<sup>175</sup>

79. In general, cable and sports entities contend that broadcast television will continue to play a primary role in the distribution of sports programming. For example, NFL notes that its Commissioner has committed to

networks.<sup>176</sup> Similarly, NBA submits that its Commissioner has assured Congress that broadcast television will remain the key method of distribution for NBA basketball, noting the promotional value of having events available to all television households.<sup>177</sup> Time Warner likewise predicts that the Super Bowl and World Series will remain on broadcast television as the result of their large mass audience appeal, as well as fan goodwill and political concerns, and that the current pattern of "broadcaster first" rights negotiations will continue, particularly at the national level.<sup>178</sup> Other commenters, however, are concerned that several, if not all, major sports events currently shown on broadcast television will eventually migrate to a subscription service.<sup>179</sup> For example, CBS notes that HBO has just announced its desire to purchase a package of five or six regular season NFL games, and submits that some industry analysts contemplate a pay-per-view future for the daytime MLB championship games.<sup>180</sup>

80. New technologies. Few commenters specifically discuss the impact of emerging technologies on the video distribution of sports programming. Viacom submits that distributors using new technologies are willing to take risks that other distributors will not. Viacom asserts that the emergence of new technologies will ultimately increase consumer choice by offering viewers

the purchase of sports programming rights.<sup>184</sup> Section 6 permits broadcasters to elect retransmission consent or must-carry status in their local markets and, if they elect retransmission consent, to negotiate compensation for cable carriage.<sup>185</sup> Some commenters further submit that broadcasters' bargaining power is enhanced by the must-carry, programming access, rate regulation and ownership provisions of the 1992 Cable Act.<sup>186</sup> INTV, however, doubts that retransmission consent fees will significantly benefit broadcasters in the sports programming context. It contends that many of the stations seeking to acquire sports programming are independents, and are thus unlikely to obtain significant retransmission consent fees. INTV also argues that because there may be several broadcast stations in an area but only one

## VI. RECOMMENDATIONS AND CONCLUSIONS

83. The majority of commenters submit that the record of this proceeding does not warrant any legislative recommendations or regulatory action with respect to migration of sports programming.<sup>190</sup> Further, MLB contends that circumstances have not materially changed since the District of Columbia Court of Appeals invalidated the Commission's prior anti-siphoning rules in Home Box Office, Inc. v. FCC, 567 F.2d 9 (D.C. Cir. 1977), cert. denied, 434 U.S. 829.<sup>191</sup> CapCities/ABC and NBC, however, suggest that the Commission might wish to consider narrowly tailored government intervention if popular and widely available sports events such as the Super Bowl, the World Series, the Olympic Games and other championship and playoff games appear in danger of migrating to a subscription service, particularly a pay-per-view service.<sup>192</sup>

84. Conversely, INTV recommends that the Commission adopt sports siphoning rules. It contends that the size and penetration of the cable industry and the extent of sports migration have changed substantially since the previous rules were struck down in Home Box Office.<sup>193</sup> The New York City Department of Telecommunications and Energy does not recommend the adoption of regulations at this time, but urges the Commission to establish a Sports Programming Advisory Committee to evaluate the causes and consequences of

this increased cable exposure has led to a concomitant decrease in the number of sporting events shown on broadcast television; to the contrary, broadcast exposure has increased in some cases. The Commission has long been concerned

future involvement in the telecasting of professional baseball. We intend to seek further comment on these arrangements as they are finalized. Further, as discussed in Section IV, supra, we need more information regarding exclusive contracts, particularly college football contracts, in order to fully evaluate whether these arrangements are preclusive with respect to local broadcasters. Additional data regarding local telecasts of college football and basketball would also be useful, as noted in Section III-F, supra, as would information regarding the cost of subscribing to the various cable services mentioned in the record. While we do not request specific comment in response to this Interim Report, we raise these issues to prepare commenters to more fully address them, along with other issues, in connection with our forthcoming Further Notice of Inquiry.

#### VIII. ADMINISTRATIVE MATTERS


88. This Interim Report is issued pursuant to authority contained in Section 26 of the Cable Television and Consumer Protection and Competition Act of 1992, Pub. L. No. 102-385, 106 Stat. 1460 (1992), and Sections 4(i) and 403 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 154(i), 403.

89. For further information concerning this proceeding, contact Jane Hinckley Halprin ((202) 632-7792) or Scott Roberts ((202) 632-6302), Policy and Rules Division, Mass Media Bureau.

#### IX. ORDERING CLAUSE

90. IT IS ORDERED that the Secretary shall send copies of this Interim Report to the appropriate committees and subcommittees of the United States House of Representatives and the United States Senate.

FEDERAL COMMUNICATIONS COMMISSION

  
William F. Caton  
Acting Secretary

**APPENDIX A**  
**Section 26 of 1992 Cable Act**

**SEC. 26. SPORTS PROGRAMMING MIGRATION STUDY AND REPORT.**

(a) Study Required.--The Federal Communications Commission shall conduct an ongoing study on the carriage of local, regional, and national sports programming by broadcast stations, cable programming networks, and pay-per-view services. The study shall investigate and analyze, on a sport-by-sport basis, trends in the migration of such programming from carriage by broadcast stations to carriage over cable programming networks and pay-per-view systems, including the economic causes and the economic and social consequences of such trends.

(b) Report on Study.--The Federal Communications Commission shall, on or before July 1, 1993, and July 1, 1994, submit an interim and a final report, respectively, on the results of the study required by subsection (a) to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. Such reports shall include a statement of the results, on a sport-by-sport basis, of the analysis of the trends required by subsection (a) and such legislative or regulatory recommendations as the Commission considers appropriate.

(c) Analysis of Preclusive Contracts Required.--

(1) Analysis required.--In conducting the study required by subsection (a), the Commission shall analyze the extent to which preclusive contracts between college athletic conferences and video programming vendors have artificially and unfairly restricted the supply of the sporting events of local colleges for broadcast on local television stations. In conducting such analysis, the Commission shall consult with the Attorney General to determine whether and to what extent such preclusive contracts are prohibited by existing statutes. The reports required by subsection (b) shall include separate statements of the results of the analysis required by this subsection, together with such recommendations for legislation as the Commission considers necessary and appropriate.

(2) Definition.--For purposes of this subsection, the term "preclusive contract" includes any contract that prohibits--

(A) the live broadcast by a local television station of a sporting event of a local college team that is not carried, on a live basis, by any cable system within the local community served by such local television station; or

(B) the delayed broadcast by a local television station of a sporting event of a local college team that is not carried, on a live or delayed basis, by any cable system within the local community served by such local television station.



**APPENDIX B**  
**List of Commenters**

**Initial Comments**

1. Affiliated Regional Communications, Ltd.
2. Association of Independent Television Stations, Inc.
3. Atlantic Coast Conference
4. Big East Conference/Big East Football Conference
5. Capital Cities/ABC, Inc.
6. Nicholas P. Cessario
7. College Football Association
8. Colonial Athletic Association
9. Colorado Athletic Conference
10. Colorado State University
11. John M. Corothers
12. Daniel Scott Dunham
13. ESPN, Inc.
14. Madison Square Garden Corp.
15. National Association of Broadcasters
16. National Basketball Association
17. National Broadcasting Co., Inc.
18. National Cable Television Association, Inc.
19. National Collegiate Athletic Association
20. National Football League
21. National Hockey League
22. New York City Department of Telecommunications and Energy
23. Office of the Commissioner of Baseball
24. Pacific 10 Conference
25. Rainbow Programming Holdings, Inc.
26. Southland Conference
27. Southwest Conference
28. Texas Special Olympics
29. Time Warner Entertainment Co., L.P.
30. Tribune Broadcasting Co.
31. Turner Broadcasting System, Inc.
32. United Video, Inc.
33. University of Denver
34. University Interscholastic League
35. Viacom International, Inc.
36. Wireless Cable Association International, Inc.
37. Andrew Zimbalist

#### Reply Comments

1. Affiliated Regional Communications, Inc.
2. Association of Independent Television Stations
3. Brigham Young University
4. Capital Cities/ABC, Inc.
5. CBS, Inc.
6. College Football Association
7. East Carolina University
8. Madison Square Garden Corporation
9. National Cable Television Association, Inc.
10. National Football League
11. National Hockey League
12. Office of the Commissioner of Baseball
13. Pappas Telecasting Companies
14. Time Warner Entertainment Company, L.P.
15. Tribune Broadcasting Company
16. University of Alabama
17. University of Arkansas
18. University of Pittsburgh

#### Additional or Supplemental Comments

1. Capital Cities/ABC
2. College Football Association (2 filings)
3. Dennis L. Donna
4. Mr. and Mrs. Dean Gamble
5. Donald J. Mueller
6. National Basketball Association (2 filings)
7. National Hockey League
8. Office of the Commissioner of Baseball (2 filings)
9. Tribune Broadcasting Company

**APPENDIX C**  
**Charts**

**Chart 1: Subscribership of National Cable Networks and Superstations**

<u>Network/Superstation</u>	<u>Number of</u> <u>Subscribers 1992</u>	<u>Number of</u> <u>Subscribers 1985</u>
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**Chart 2: Number of NFL Games Telecast and Their Ratings for All Regular Season Games on CBS, ABC, NBC, ESPN and TNT Networks**

<u>Season</u>	<u>Games on CBS 1/</u>		<u>Games on ABC 2/</u>		<u>Games on NBC 3/</u>		<u>Games on ESPN 4/</u>		<u>Games on TNT 5/</u>	
	<u>Telecast</u>	<u>Rating</u>	<u>Telecast</u>	<u>Rating</u>	<u>Telecast</u>	<u>Rating</u>	<u>Telecast</u>	<u>Rating</u>	<u>Telecast</u>	<u>Rating</u>
1980	27	15.3	20	20.3	30	14.7	-	-	-	-
1981	27	17.5	20	21.2	32	13.8	-	-	-	-
1982	17 6/	16.5	12	19.3	16	13.9	-	-	-	-
1983	27	16.7	12	17.4	27	12.5	-	-	-	-
1984	27	14.3	21	16.1	27	12.1	-	-	-	-
1985	27	15.8	21	18.5	27	12.7	-	-	-	-
1986	27	15.2	21	17.6	27	12.4	-	-	-	-
1987	26	13.9	12	18.6	25	11.2	8	10.6	-	-
1988	27	13.8	16	16.9	27	11.7	8	9.3	-	-
1989	27	13.8	16	18.1	27	11.1	8	10.2	-	-
1990	30	13.5	17	16.7	29	11.0	8	9.8	8	7.0
1991	28	13.1	17	16.8	29	10.7	9	8.4	9	6.4
1992	30	13.0	17	16.8	29	11.2	9	8.4	9	6.9

1/ CBS reply comments, Appendix A.

2/ Cap Cities/ABC comments, Exhibit A.

3/ NBC comments, Exhibit A.

4/ ESPN comments p. 3.

5/ NFL comments, Exhibit D.

6/ Players' strike shortens season.

**Chart 3: Number of NFL Playoff Games Telecast and Their Average Ratings  
On CBS, ABC, and NBC**

<u>Season</u>	<u>Games on CBS 1/ Telecast Rating</u>		<u>Games on ABC 2/ Telecast Rating</u>		<u>Games on NBC 3/ Telecast Rating</u>	
1980	4	30.5	-	-	4	27.4
1981	4	32.1	-	-	4	28.8
1982	5	26.0	-	-	(no data)	
1983	4	26.1	-	-	4	21.0
1984	4	25.2	-	-	4	21.8
1985	4	27.1	-	-	4	23.8
1986	4	24.1	-	-	4	22.8
1987	4	24.9	-	-	4	23.9
1988	4	23.7	-	-	4	20.9
1989	4	21.4	-	-	4	22.1
1990	4	24.2	2	18.5	4	20.9
1991	4	25.1	2	19.2	4	23.0
1992	4	25.9	2	18.3	4	21.9

Includes wildcard, playoffs and Conference Championship games but not Super Bowls.

1/ CBS reply comments, Appendix A.

2/ Cap Cities/ABC comments, Exhibit A.

3/ NBC comments, Exhibit A.

Chart 4: Regular Season National NBA Telecasts (Broadcast and Cable)

	No. of National TV	No. of Nat'l Cable
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**Chart 5: Post-Season National NBA Telecasts (Broadcast and Cable)**

<u>Season</u>	<u>No. of National TV Broadcasts    Rating</u>		<u>No. of Nat'l Cable Telecasts*    Rating</u>	
1980-1981	26	6.6	10	na
1981-1982	21	8.2	10	na
1982-1983	19	7.9	20	na
1983-1984	23	7.4	24	2.8
1984-1985	21	7.8	21	2.9
1985-1986	21	8.7	20	3.8
1986-1987	22	9.5	24	3.7
1987-1988	26	9.4	31	4.4
1988-1989	20	8.7	26	4.2
1989-1990	26	8.3	30	3.6
1990-1991	24	8.6	34	3.3
1991-1992	28	8.7	37	3.0
1992-1993	na	na	na	na

\* Does not include games that were authorized for local broadcast and were

Chart 6: Local/Regional NBA Telecasts (Broadcast and Cable)

Season	<-----Regular Season----->		<-----Post-Season----->	
	Local/Reg'l Broadcast*	Local/Reg'l Cable	Local/Reg'l Broadcast	Local/Reg'l Cable
1981-1982	494	329	na	na
1982-1983	465	570	21	14
1983-1984**	486	502	60	31
1984-1985	461	629	46	24
1985-1986	523	543	44	28
1986-1987	563	520	59	22
1987-1988	582	577	46	38
1988-1989	710	634	44	29
1989-1990	716	779	45	39
1990-1991	709	914	52	27
1991-1992	700	910	47	42
1992-1993	736	922	—	—

\* For this chart, superstation games have only been accounted for as broadcasts in



**Chart 7: National Major League Baseball Television Broadcasts (1980-1992)**

<u>Season</u>	<u>No. of Regular Season Games</u>	<u>Average Rating Per Regular Game</u>	<u>No. of Post- Season Games</u>	<u>Average Rating/ Post-Season Game</u>
1980	52	8.0	14	25.5
1981	38	6.7	14	21.4
1982	63	8.7	16	22.2
1983	63	7.9	13	17.8
1984	52	7.3	13	18.6
1985	51	7.4	20	19.0
1986	68	6.0	20	20.2
1987	48	7.2	19	18.1
1988	48	6.4	16	17.2
1989	46	5.6	14	14.3
1990	16	4.7	14	14.2
1991	16	4.0	19	16.3
1992	16	3.4	19	13.6

NOTE: From 1980 to 1990, ABC and NBC broadcast national games; CBS thereafter.

ABC comments, Exhibit A; NBC comments, Exhibit C and CBS reply comments, Appendix A.